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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PETER HEINTZ; ANDRE PACINI,

11 Plaintiffs,

12 v.

13 CINDY RAYNOR; JIMMY and GLENDA
14 THOMSON,

15 Defendants.

Case No. C05-5432FDB

ORDER GRANTING CINDY
RAYNOR'S MOTION FOR
SUMMARY JUDGMENT

15 Plaintiffs' complaint alleges that Plaintiffs had an agreement to purchase real property owned
16 by Defendants Jimmy and Glenda Thomson. The Court earlier granted summary judgment for the
17 Thomsons, concluding that there was no agreement and that the Thomsons effectively rejected the
18 offer, which would expire by its own terms if not accepted.

19 Defendant Cindy Raynor contends that following the instructions of the Thomsons, she
20 advised the plaintiffs orally that the Thomsons were rejecting the offer. Plaintiffs' claim against
21 Raynor is "interference with third-party contractual relations." One of the elements of such a claim is
22 the existence of a valid contractual or business expectancy. The Court has already concluded that
23 there was no valid contract to purchase real property. Defendant Raynor asserts other reasons for
24 rejecting the claim as well. Plaintiffs have filed no response to this motion, however, and the Court
25 may treat this failure as an admission that Raynor's motion has merit. (Local Civil Rule CR 7)

26 ORDER - 1

1 ACCORDINGLY, IT IS ORDERED:

2 1. Motion of Defendant Cindy Raynor for Summary Judgment [Dkt. # 9] is GRANTED
3 and this cause of action against Cindy Raynor is DISMISSED with prejudice.
4 2. Disposition of this matter is now complete as to all parties, and the Clerk should enter
5 judgment accordingly for Defendants.

6 DATED this 27th day of October, 2005.

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9 FRAANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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